

Applicant: Preston Crow, *et al.*
U.S.S.N.: 10/644,458
Filing Date: August 20, 2003
EMC Docket No.: EMC-99-026CON1

REMARKS

In the Non-Final Office Action mailed October 13, 2006, claims 1, 2, 4-6, 13, 14, and 16 were rejected. Claims 1, 2, 4-6, 13, 14, and 16 remain pending in the application.

Claim Rejections Under 35 U.S.C. § 103

Independent Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Background and Fig. 1 in view of Pub. No. US2004/0133570 ("Soltis"). The examiner states that, while the background does not teach that each extent in the memory storage device includes a field to indicate whether the extent is an indirect extent, a hole extent, or a direct extent, Soltis teaches extents having a flag for the purpose of determining whether or not the extent addresses real data or a hole in the file. The examiner contends that it would have been obvious to combine the teachings of the Background and Soltis. This rejection is respectfully traversed, as the combination suggested by the examiner does not teach or suggest the invention recited in independent claim 1.

Independent Claim 1 recites, in addition to other features, that "a portion of the rows storing extents point[] to data blocks, each extent having a field to indicate whether the extent is an indirect extent, a hole extent, or a direct extent." The applicants respectfully assert that Soltis does not teach or suggest the "field to indicate whether the extent is an indirect extent, a hole extent, or a direct extent." The extents in the Soltis system include a flag that determines whether or not the extent addresses either real data or a hole in the file (Section [0079], last sentence). However, there is no teaching or suggestion of a flag or field in the Soltis extent to indicate that the extent is an indirect extent. While the examiner also cited Sections [0126-

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0127], these sections only refer to direct extents. In fact, there are no references whatsoever, in Soltis' Specification, to "indirect extents." Therefore, in the recitation of an "indirect extent pointer" in Claim 50, the term "indirect" can only be used to modify "extent pointer", since there is absolutely no support in the Specification for an "indirect extent." There is also no teaching of such a flag or field in the Background.

The only teaching of a field in an extent that indicates that the extent is an indirect extent is in the applicants' Specification.

Accordingly, since the combination of the Background and Soltis does not teach the invention recited in independent claim 1, independent claim 1 is allowable under 35 U.S.C. §103. Accordingly, the 35 U.S.C. §103 rejection of independent claim 1 should be withdrawn.

Claims 2 and 4 depend from independent claim 1 and are allowable for at least the same reasons as independent claim 1.

Independent Claim 5 recites, in addition to other features, "each extent ... having a field for indicating that the extent is one of an indirect extent, a hole extent, and a direct extent." As set forth above, the applicants respectfully assert that Soltis does not teach or suggest the "field to indicate whether the extent is an indirect extent, a hole extent, or a direct extent." The extents in the Soltis system include a flag that determines whether or not the extent addresses either real data or a hole in the file (Section [0079], last sentence). However, there is no teaching or suggestion of a flag or field in the Soltis extent to indicate that the extent is an indirect extent. While the examiner also cited Sections [0126-0127], these sections only refer to direct extents. In fact, there are no references whatsoever, in Soltis' Specification, to "indirect extents." Therefore, in the recitation of an "indirect extent pointer" in Claim 50, the term "indirect" can

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only be used to modify "extent pointer", since there is absolutely no support in the Specification for an "indirect extent." There is also no teaching of such a flag or field in the Background.

The only teaching of a field in an extent that indicates that the extent is an indirect extent is in the applicants' Specification.

Accordingly, since the combination of the Background and Soltis does not teach the invention recited in independent claim 5, independent claim 5 is allowable under 35 U.S.C. §103. Accordingly, the 35 U.S.C. §103 rejection of independent claim 5 should be withdrawn.

Claim 6 depends from independent claim 5 and is allowable for at least the same reasons as independent claim 5.

Independent Claim 13 recites, in addition to other features, that "extent includes a field to indicate whether the extent is an indirect extent, a hole extent or a direct extent." As set forth above, the applicants respectfully assert that Soltis does not teach or suggest the "field to indicate whether the extent is an indirect extent, a hole extent, or a direct extent." The extents in the Soltis system include a flag that determines whether or not the extent addresses either real data or a hole in the file (Section [0079], last sentence). However, there is no teaching or suggestion of a flag or field in the Soltis extent to indicate that the extent is an indirect extent. While the examiner also cited Sections [0126-0127], these sections only refer to direct extents. In fact, there are no references whatsoever, in Soltis' Specification, to "indirect extents." Therefore, in the recitation of an "indirect extent pointer" in Claim 50, the term "indirect" can only be used to modify "extent pointer", since there is absolutely no support in the Specification for an "indirect extent." There is also no teaching of such a flag or field in the Background.

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The only teaching of a field in an extent that indicates that the extent is an indirect extent is in the applicants' Specification.

Accordingly, since the combination of the Background and Soltis does not teach the invention recited in independent claim 13, independent claim 13 is allowable under 35 U.S.C. §103. Accordingly, the 35 U.S.C. §103 rejection of independent claim 13 should be withdrawn.

Claims 14 and 16 depend from independent claim 13 and is allowable for at least the same reasons as independent claim 13.


Based on the foregoing, applicants respectfully assert that claims 1, 2, 4-6, 13, 14, and 16 are allowable over the art of record and respectfully request that a timely Notice of Allowance be issued in this application.

In the event the examiner deems personal contact desirable in the disposition of this case, the examiner is invited to call the undersigned attorney at (508) 293-7835.

Please charge all fees occasioned by this submission to Deposit Account No. 05-0889.

Respectfully submitted,

3/13/07
Date


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